

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.3 OF 2006
IN
FIRST APPEAL NO.254 OF 2005
IN
S.C.SUIT NO.2787 OF 1994

Deepak Ramanlal Rajput ...Petitioner

Versus

Virtanaya Madhav Rupji & Ors. ...Respondents

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Mr.P.R.Naidu for Petitioner.

Mr.M.H.A.Sayyed for Respondents 1 & 2.

Ms.Ashwini Rupji i/b Ms.Meena Fulbandhe for
Respondent No.4.

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CORAM: A.M.KHANWILKAR, J.

MARCH 29, 2006.

P.C.

1. After going through the pleadings on record, in my opinion, no case for initiating contempt action has been made out.

2. The averments in the Petition and the further affidavit filed by the Petitioner dated 27th March 2006 even if read singularly or together does not make out a case for contempt. The averments in the Contempt Petition and the affidavit dated 27th March 2006 lacks material facts so as to constitute cause of action to initiate contempt action against the Respondents.

3. As a matter of fact, the allegation against Respondents 2, 3 and 5 against whom the present proceedings survive for consideration are completely vague and general. Hence, this Petition is dismissed.

A.M.KHANWILKAR, J.